III. REMARKS

Claims 1-20 are pending in this application. By this amendment, claims 1 and 5 have been amended and claim 4 has been canceled. Applicant is not conceding in this application that those claims are not patentable over the art cited by the Office, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the allowable subject matter noted by the Office. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-6 are rejected as allegedly being directed to nonstatutory subject matter. Claims 1-20 are rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Cappellucci et al. (U.S. Pat. Pub. No. 2003/0039949 A1), hereinafter "Cappellucci."

With regard to the 35 U.S.C. 101 rejection of claims 1-6, Applicants respectfully submit that the claims do, in fact, have a tangible effect. Namely, the claims result in an information rollup process being performed. As such, Applicants respectfully request that this rejection be withdrawn.

With regard to the 35 U.S.C. 102(e) rejection of claims 1-20, Applicants respectfully submit that Cappellucci fails to teach each and every element of the claimed invention. Specifically, Cappellucci fails to teach or disclose "performing an information rollup" and "generating a control block" as required by the claimed invention.

Interpreting Cappellucci for purposes of this response only, Applicants submit that Cappellucci teaches a method for correlating information within a system that derives information from a plurality of disparate informational resources. Para. [0021]. Cappellucci's correlation system simply allows a user to search to find information objects and elements that are correlated against a particular information object or element. As admitted by the Office, Cappellucci's system performs a "correlation query, a process to find those information objects and elements that are correlated against a particular information object or element." Office Action, p.3. In contrast, the claimed invention claims the performance of an information rollup. Cappellucci's search for correlated data is not equivalent to performing an information rollup.

Furthermore, Cappellucci does not disclose performing an information rollup of the parent node only after performing the information rollup of the child nodes. Cappellucci's search for correlated data does not ensure that child or sibling nodes are rolled up before a parent node. In contrast, the claimed invention will only perform an information rollup of the parent after the child nodes have already been rolled up.

Furthermore, Cappellucci does not disclose the generation of a control block to determine which child nodes must be rolled up before the parent can be rolled up. In contrast, the claimed invention generates a control block for each of the child and parent nodes which ensures that the rollup of the child nodes must be performed before the information rollup of the parent node. In the Office Action, the Office appears to be equating this generation of a control block with Cappellucci's population of a data base with meta data which is performed when information resources are input into the system. Office Action, p. 5 quoting Cappellucci paragraphs [0076]-[0077]. As those paragraphs indicate, the meta-data in Cappellucci is used to correlate the

information objects and elements of the information resources to the master learning objectives (MLOs). This system allows a user to search for information, for example state standards, correlated to a lesson plan. The system first searches for correlated data for the child MLOs, then the sibling MLOs and then the parent MLOs. But this system does not provide a logic system where child nodes are rolled up before a parent node to avoid repeated rollups. Accordingly, for the reasons set forth above, Applicants respectfully request that the rejection of claims 1-20 be withdrawn.

With regard to the Office's other arguments regarding dependent claims, Applicant herein incorporates the arguments presented above with respect to independent claims listed above. In addition, Applicant submits that all dependant claims are allowable based on their own distinct features. However, for brevity, Applicant will forego addressing each of these rejections individually, but reserves the right to do so should it become necessary. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

IV. CONCLUSION

In addition to the above arguments, Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However,

Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

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